



STATE PUBLIC WORKS BOARD

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STATE PUBLIC WORKS BOARD

August 13, 2021

APPROVED MINUTES

PRESENT:

Ms. Gayle Miller, Chief Deputy Director, Department of Finance
Mr. Jim Davis, Chief Deputy Director, Department of Transportation
Ms. Ana Lasso, Director, Department of General Services
Ms. Jacqueline Wong-Hernandez, Deputy Controller, State Controller
Mr. Blake Fowler, Director of Public Finance, State Treasurer

CALL TO ORDER AND ROLL CALL:

Ms. Gayle Miller, Chairperson of the State Public Works Board (Board), called the meeting to order at 1:00 p.m. Ms. Kat Lee, serving as Secretary to the Board, called the roll. A quorum was established.

BOND ITEMS:

The first order of business was to consider five bond items:

- Bond Item 1: If approved, Bond Item 1 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, approve the form of and authorize the execution and delivery of a Project Delivery Agreement, and other related actions for the Adult Local Criminal Justice Facility Project in Plumas County for the Board of State and Community Corrections.

Staff recommended adoption of the resolution for Bond Item 1.

Ms. Miller asked if there were any questions from the Board or from the public. There were none.

A motion was made by Ms. Wong-Hernandez and seconded by Mr. Fowler to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Ms. Lasso, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).

- Bond Item 2: If approved, Bond Item 2 would adopt a resolution to make certain findings with respect to the fair rental value of the completed portion of the Humboldt Juvenile Project, in Humboldt County, for the Department of Corrections and Rehabilitation. The bond item would also approve the form of and authorize the execution and delivery of an amendment to the Facility Lease for the Project related to the State Public Works Board Series 2020D Bonds, and would approve other related actions.

Ms. Lukenbill stated that actions before the Board would allow CDCR to budget and appropriate for the base rental payment due on and after October 15, 2021, and the failure to complete the Recreation Yard portion of the project would not result in any abatement of base rental under the Facility Lease.

Staff recommended adoption of the resolution for Bond Item 2.

Ms. Miller asked if there were any questions or comments from the Board.

Ms. Wong-Hernandez wanted clarification if the intent was still to complete the project.

Ms. Lukenbill confirmed that it would be completed in September 2021.

Ms. Miller asked if there were any public comments. There were none.

A motion was made by Ms. Wong-Hernandez and seconded by Mr. Fowler to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Ms. Lasso, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).

- Bond Item 3: If approved, Bond Item 3 would adopt a resolution to rescind a prior resolution adopted by the Board on July 12, 2019, related to the financing of the Sacramento County Adult Criminal Justice Facility Project in Sacramento County for the Board of State and Community Corrections. The action would also approve the form of agreements to terminate agreements related to the construction and financing of the Project, and authorize other actions related to the termination of the agreements and rescission of the interim financing resolution for the project.

Staff recommended adoption of the resolution for Bond Item 3.

Ms. Miller asked if there were any questions from the Board, or from the public. There were none.

A motion was made by Mr. Fowler and seconded Ms. Wong-Hernandez by to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Ms. Lasso, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).

- Bond Item 4: If approved, Bond Item 4 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, approve the form of and authorize the execution and delivery of a Project Delivery Agreement, and other related actions for the Sacramento Region: Resources Building Renovation project in Sacramento County, for the Department of General Services.

Staff recommended adoption of the resolution for Bond Item 4.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Mr. Fowler and seconded Ms. Wong-Hernandez by to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Ms. Lasso, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).

- Bond Item 5: If approved, Bond Item 5 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, approve the form of and authorize the execution and delivery of a Project Delivery Agreement, and other related actions for the Jesse Unruh Building Renovation project in Sacramento County, for the Department of General Services.

Staff recommended adoption of the resolution for Bond Item 5.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Mr. Fowler and seconded Ms. Wong-Hernandez by to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Ms. Lasso, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).

Ms. Miller thanked and excused Ms. Wong-Hernandez and Mr. Fowler.

MINUTES:

The next order of business was to approve the minutes from the July 23, 2021 Board meeting.

Ms. Lukenbill stated that staff had prepared and reviewed the minutes from the July 23, 2021 Board meeting and recommended approval of those meeting minutes.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

Ms. Lukenbill stated that staff had prepared and reviewed the minutes from the July 23, 2021 Board meeting.

A motion was made by Ms. Miller and seconded by Ms. Lasso to approve the meeting minutes. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Ms. Lasso, and Mr. Davis all voting aye).

CONSENT ITEMS:

The next order of business is to consider Consent Calendar which consisted of two items:

- Consent Item 1: If approved, the request would authorize site selection and acquisition through a purchase option, authorize the execution of documents as may be required to complete the acquisition, and approve an augmentation of \$70,000 General Fund to allow for completion of the acquisition of the Sacramento Fire Apparatus Maintenance Shop and General-Purpose Warehouse, in Sacramento County, for the Office of Emergency Services.

- Consent Item 2: If approved, the requested action would authorize the Executive Director and Deputy Directors to execute an agreement to terminate a Project Delivery and Construction Agreement with Siskiyou County and to take all other actions that may be necessary to terminate the Project Delivery and Construction Agreement for the Jail Project in Siskiyou County, for the Department of Corrections and Rehabilitation.

Staff recommended approval of the Consent Calendar.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Ms. Miller and seconded by Mr. Davis to approve the Consent Calendar. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Ms. Lasso, and Mr. Davis all voting aye).

ACTION ITEMS:

The next order of business was to consider one action item:

- Action item 1: If approved, the action would adopt two Resolutions of Necessity authorizing the use of eminent domain to acquire properties or interests in properties for High Speed Rail.

Ms. Lukenbill noted that Property #2, the Security Land and Loan property in Kings County, was pulled from the agenda and would not be part of the vote.

The Authority notified the Board's staff that between December 2020 and March 2021, the respective property owners were provided with a first written offer to purchase the subject properties, as required by Government Code. The Authority informed the Board's staff that negotiations to acquire the properties were continuing; however, to keep the project moving forward, the adoption of Resolutions of Necessity to authorize the use of eminent domain was required at the time.

On July 23, 2021, Notices of Intent to adopt Resolutions of Necessity were mailed to the property owner. The notice was sent in accordance with the Code of Civil Procedure section 1245.235.

Joe Carroll, serving as counsel to the Board on Eminent Domain items, presented the Resolution of Necessity.

He explained that it was counsel's opinion that there was prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present, and that if the Board agreed and determined that the factors were present, the Board may move to adopt the two Resolutions of Necessity.

Staff recommended adoption of the Resolution of Necessity authorizing the use of eminent domain to acquire properties or interest in the properties for High Speed Rail.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Ms. Miller and seconded by Ms. Lasso to adopt the two Resolutions of Necessity. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Ms. Lasso, and Mr. Davis all voting aye).

GENERAL PUBLIC COMMENT:

NONE

REPORTABLES:

Ms. Lukenbill presented the reportable items for the period July 10, 2021 through August 2, 2021.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

NEXT MEETING:

Ms. Miller stated that the next Board meeting was scheduled for Friday, September 10, 2021 at 10:00 am and the location of the meeting would be posted online at www.spwb.ca.gov.

Ms. Miller asked if there were any other questions or comments from the Board, or from the public. There were none.

The meeting was concluded at 1:19 pm.